UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2010*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 11-16* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1, 2 and 11-16* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: RCEX filed on 12 Apr. 2010.

Claims 1, 2 and 11-16 are pending in the case. Claims 1, 11 and 14 are

independent claims.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 Apr.

2010 has been entered.

Applicant's Response

In Applicant's response dated 12 Apr. 2010, Applicant amended claim 1;

cancelled claims 3-10; added new claims 11-16; argued against all objections and

rejection previously set forth in previous Office Action dated 11 Jan. 2010.

Examiner's Note

The Examiner notes that upon further review of cited prior art, specifically

Pettersen, the Examiner now realizes that Pettersen does indeed teach certain

limitations that the Examiner failed to recognize in the previous office action and stated

Pettersen did not disclose such. Therefore, upon this realization, the Examiner now

changes his previous position as seen below in this office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Claim 2 recites "……generates the Web page in accordance

with **only necessary contents** information…." It is unclear to the Examiner what

"necessary content" Applicant is referring to. For the purpose of prior art rejection, the

Examiner determines the only necessary contents required in generated the web page

would be the specified by the parameters passed in the called string.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

Claims 1, 2 and 11-16 are rejected under 35 U.S.C. 102(e) as being

anticipated by Pettersen (Patent No.: US 6,826,594 B1; Filed Jul. 15, 2000).

Regarding independent claim 1, Pettersen discloses *a Web server for*

transmitting a Web page including dynamically-altered contents via a network,

comprising:

an input portion that receives a parameter input by a user (col. 4, lines 17-57; col.

7 line 45-col. 8, line 5; col. 8, line 43-col. 9, line 5; col. 9, lines 32-54; Pettersen

discloses a web server that receives parameters from a web page owner in a URL

string call. Based the parameters passed in the call string the host server will return

output stored in memory to the calling web page. Pettersen also discloses the call string

can be in the form of a Java applet, JavaScript, Flash or one of various other

program/script languages supported by the host server.).

an operation portion that determines the dynamically-altered contents based on a

result of an application in accordance with the parameter inputted by the user (col. 4,

lines 18-57; col. 7 line 45-col. 8, line 5; col. 8, line 43-col. 9, line 5; Pettersen discloses a

web server that receives parameters from a web page owner in a URL string call. Such

parameters include a subset or smart zone name (areas or zones of a web page) Based

the parameters passed in the call string the host server will return output stored in

memory to the calling web page. Pettersen discloses disclose the smart zone content

database may include a plurality of tag identifiers which are received from the user

system browser during rendering of a web page.).

a contents information process portion that makes a storage portion store the

determined dynamically-altered contents and the inputted parameter in association with

a date and time of generation of the Web page, a screen ID identifying a generation of

the Web page and user identifying information on the user (col. 6, line 65-col. 7 line 44;

col. 27, line 17-col. 28, line 13; Pettersen discloses the dynamic content for insertion

into the smart zones are stored in a smart zone content database. Pettersen also

discloses a user identification number (UID) which is stored on a host server and a PID

(screen ID), which is a unique key used to identify the affiliate website and a time

stamp. Time stamp (date and time) and PID information are stored in cookies, which

are used in the tracking domain of the request. Pettersen further discloses an

application program at the central linking web site logs the request for the specified AID

and PID variables.).

a Web page generation portion that generates the Web page at a first time by

incorporating therein the determined dynamically-altered contents (col. 4, lines 18-37;

col. 8, line 43-col. 9, line 22; Pettersen discloses inserting dynamic content in a

designated portion of the web page or the entire web page defined by at least one

content display attribute. Pettersen discloses a Web page generation portion that

generates the Web page by incorporating therein the determined dynamically-altered

contents.).

a Web page transmission portion that transmits the generated Web page to a

terminal device of the user (col. 17, lines 40-50; col. 23, lines 6-20; col. 27, lines 18-32;

Pettersen discloses an application program at central linking web site logs the request

for the specific AID (designates which content to retrieve) and PID (user browser

information) variables and located the content file/web page to return to the user system

using the AID.).

a designation reception portion that receives, from a terminal device of an

administrator, designation of date and time, screen ID and user identifying information

(col. 4, lines 8-17; col. 5, lines 1-15; col. 4, lines 29-37; col. 7, lines 45-65; col. 27, lines

18-32; Pettersen discloses a remote content management system and method are

provided whereby a web page owner defines one or more areas or zones of a web

page, wherein a variety of different types of content may be placed. Pettersen also

discloses an owner field in the content database. Pettersen discloses inserting dynamic

content in a designated portion of the web page or the entire web page defined by at

least one content display attribute. Pettersen also discloses an application program at

central linking web site logs the request for the specific AID (designates which content

to retrieve) and PID (user browser information) variables and located the content

file/web page to return to the user system using the AID. Cookies are used to store data

such as AID, CID and time stamp. Pettersen also discloses a user identification number

(UID) which is stored on a host server and a PID (screen ID), which is a unique key

used to identify the affiliate website and a time stamp. Time stamp (date and time) and

PID information are stored in cookies, which are used in the tracking domain of the

request. Pettersen further discloses an application program at the central linking web

site logs the request for the specified AID and PID variables. Therefore the Examiner

concludes Pettersen implicitly discloses a designation reception portion that receives,

from a terminal device of an administrator, designation of date and time, screen ID and

user identifying information.).

a contents information extraction portion that extracts, from among the

dynamically- altered contents stored by the contents information process portion,

contents of the Web page corresponding to the date and time, screen ID and the user

identifying information both of which are received by the designation reception portion

(col. 9 lines 10-20; col. 25, lines 11-56; Pettersen discloses retrieving/extracting

dynamic web page content by initiating a call string passed to the host server. Calls

strings are passed to the host server embedded in the web page's HTML code

containing a URL denoting a file/web page address, a program file designation and a

user ID. Pettersen further disclose cookies are used to store data such as AID, CID and

time stamp. Pettersen also discloses a user identification number (UID) which is stored

on a host server and a PID (screen ID), which is a unique key used to identify the

affiliate website and a time stamp. Time stamp (date and time) and PID information are

stored in cookies, which are used in the tracking domain of the request. Thus Pettersen

discloses contents of the Web page corresponding to the date and time, screen ID and

the user identifying information.).

a Web page regeneration portion that regenerates the Web page at a second

time by incorporating therein the extracted contents of the Web page (col. 11, lines 28-

39; Pettersen discloses a web page can be dynamically rearranged or regenerated to

the advantage of the dynamically changing conditions.).

a regenerated Web page transmission portion that transmits the regenerated

Web page to the terminal device of the administrator along with the parameter, the date

and time of generation and the screen ID to allow the administrator to identify a cause of

an error in the dynamically-altered contents (col. 11, lines 28-39; col. 17, lines 40-50;

Pettersen discloses a web page can be dynamically rearranged, reformatted or

regenerated to the advantage of the dynamically changing conditions. Pettersen also

discloses a user identification number (UID) which is stored on a host server and a PID

(screen ID), which is a unique key used to identify the affiliate website and a time

stamp. Time stamp (date and time) and PID information are stored in cookies, which

are used in the tracking domain of the request. Pettersen further discloses an

application program at the central linking web site logs the request for the specified AID

and PID variables. Therefore the Examiner concludes Pettersen implicitly discloses a

regenerated Web page transmission portion that transmits the regenerated Web page

to the terminal device of the administrator along with the parameter, the date and time

of generation and the screen ID, wherein providing an administrator with the capability

to identify a cause of an error in the dynamically-altered contents.).

Regarding dependent claim 2, Pettersen discloses *the Web server according to*

claim 1, wherein the Web page generation portion generates the Web page in

accordance with only necessary contents information among the contents information

(col. 7, lines 6-65; Pettersen discloses a web page owner defines one or more

areas/zones (smart zones) of a web page and then connects to the content serving web

site to manage the areas/zones (smart zones) by identifying dynamic content to be

inserted in them, thus identifying only necessary contents information among the

contents information.).

 the contents information process portion makes the storage portion store only the

contents information used by the Web page generation portion among the contents

information (col. 7, lines 6-65; Pettersen discloses a web page owner defines one or

more areas/zones (smart zones) of a web page and then connects to the content

serving web site to manage the areas/zones (smart zones) by identifying dynamic

content to be inserted in them. Pettersen also discloses the dynamic content for

insertion into the smart zones is stored in a smart zone content database.).

 Regarding independent claims 11 and 14, the claims recite subject matter

similar or substantially the same as that recited in independent claim 1. Thus Pettersen

discloses every limitation of independent claims 11 and 14 as disclosed regarding

independent claim 1.

 Regarding dependent claims 12 and 15, Pettersen discloses the *method for*

regenerating a web page according to claim 11 and 14 respectively, further comprising:

storing, into a storage portion provided for the computer, as a log file, the dynamically

altered web content, the parameter, the date and time, and the screen ID in association

with each another (col. 27, lines 17-60; Pettersen discloses an application program at

the central linking website which logs the request for the specified AID and PID

variables, and locates the content to be returned to the user system browser. Pettersen

discloses the central linking website preferably writes one or more cookies to the user

system browser. The cookies are used to store impression data such as the AID, CID

(company or merchant ID) and a time stamp. The Examiner concludes that Pettersen

discloses each element of the recited limitation, therefore implicitly disclosing the recited

limitation.).

Regarding dependent claims 13 and 16, *Pettersen discloses the method for*

regenerating a web page according to claim 11 and 14 respectively, wherein the

computer is a web server having a function of a Java servlet (col. 7, lines 27-44; col. 8,

line 6-col. 9, line 44; col. 23, lines 45-61; Pettersen discloses call string serviced from

the remote content servicing web site can be in the form of a Java applet, JavaScript,

Flash or one of various other program/script languages supported by the host server.

Thus Pettersen discloses a web server having a function of a Java servlet.).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the reference should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See MPEP 2123.

Response to Arguments

Applicant's arguments filed 12 Apr. 2010 have been fully considered but they are

not persuasive.

Applicant argues that "Pettersen does not discuss generating a web page at a

first time and regenerating at a second time as well as transmitting the parameter, a

date and time and a screen ID to an administrator to allow the administrator to identify a

cause of an error of generation of the Web page. In fact, Pettersen does not

contemplate solving such a problem and do not discuss identifying an error in

dynamically-altered contents."

The Examiner disagrees.

Pettersen discloses a web page can be dynamically rearranged, reformatted or

regenerated to the advantage of the dynamically changing conditions. Pettersen also

discloses a user identification number (UID) which is stored on a host server and a PID

(screen ID), which is a unique key used to identify the affiliate website and a time

stamp. Time stamp (date and time) and PID information are stored in cookies, which

are used in the tracking domain of the request. Pettersen further discloses an

application program at the central linking web site logs the request for the specified AID

and PID variables. Therefore the Examiner concludes the combined subject matter

discloses in Pettersen implicitly discloses a regenerated Web page transmission portion

that transmits the regenerated Web page to the terminal device of the administrator

along with the parameter, the date and time of generation and the screen ID, wherein

providing an administrator with the capability to identify a cause of an error in the dynamically-altered contents (col. 11, lines 28-39; col. 17, lines 40-50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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